

Application No. 09/808,576
Docket No. 1998U002D2.US
Reply to Office Action Dated July 29, 2004

Remarks

Supplemental IDS

The Applicant requests that the Examiner consider JP 10-87729, a translation of which is also provided.

Section 103 Rejections

The Examiner maintains the rejection of Claims 50-59 under 35 U.S.C. § 103(a) as being unpatentable over EP 0 776 691 in view of *Calvert* (US 3,779,712). The Applicant traverses this rejection, as the Applicant believes that *Calvert* does not disclose the Applicant's claimed "catalyst injection tube being disposed within a support tube that protrudes through the reactor vessel wall".

The features of 38, 42 and 43 in *Calvert* merely refer to a "seal" and "plug valve", element 42 being the "reactor wall" itself. There is no disclosure or suggestion of a structure such as the claimed "support tube", wherein that tube "protrudes through the reactor vessel wall". Further, it can be said that *Calvert* would teach away from such a tube protruding into the reactor, as this could defeat the at least one purpose of the presence of 38 and 43 in *Calvert*, which would be for the

"[p]rovision is made for removal of the capillary tube 14 by means of a valve and seal assembly [38, 43] so disposed that the capillary tube can be withdrawn to a position such that it terminated between the valve and the seal, at which time the valve can be closed and the capillary tube completely removed. col. 5, lines 43-48.

If there were a support tube protruding into the reactor of *Calvert* as is currently claimed, *Calvert* would likely be rendered inoperable. In the least, such a feature would make "removal of the capillary tube 14 by means of a valve and seal assembly" non-trivial, as the Applicant's invention is such that, potentially, two different flows of material can occur within the area between the "catalyst injection tube" and the "support tube", and the "catalyst injection tube" itself. In such a situation, there certainly would be no motivation to modify the teachings of the prior art. See MPEP § 2143.01 (Rev. 2, May 2004) ("the proposed modification cannot render

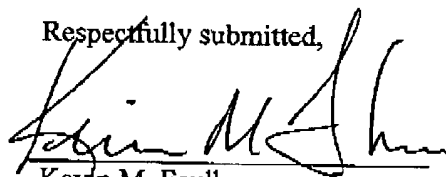
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the prior art unsatisfactory for its intended purpose"). And while there is a "passage" 44 that is adjacent to the tube inserted into the reactor, such "passage" is not continuous with a "support tube" that "protrudes" into the reactor. The Applicant thus requests the rejection be withdrawn.

It is submitted that the case is in condition for allowance. The Applicant invites the Examiner to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Examiner's satisfaction.

8/13/04
Date

Respectfully submitted,



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